



## Big Mac Trademark Dispute in the European Union Between Mcdonald's And Supermac's

Muhammad Ridha Iswardhana

International Relations Department, Universitas Teknologi Yogyakarta, Yogyakarta

**Abstract:** The dispute between the American fast food giant McDonald's and the Irish fast food chain Supermac's over the Big Mac trademark in the European Union highlights important issues in trademark law and market protection. The conflict began in 2015 when Supermac's applied to register its name as a trademark for restaurant services in Europe, but McDonald's opposed the registration, claiming that the name "Supermac's" was too similar to its iconic "Big Mac." In 2017, Supermac's requested the cancellation of the Big Mac trademark, arguing that McDonald's had not used it in relation to specific products and services in the EU for five consecutive years. The European Union Intellectual Property Office (EUIPO) ruled in favor of Supermac's, canceling McDonald's Big Mac trademark, citing failure to prove genuine use of the trademark. This research aims to analyze the impact of this decision on the protection of McDonald's trademark in the EU. Using a qualitative approach and trademark protection concept focusing on identity and distinctiveness, the study finds that the cancellation of the Big Mac trademark could disrupt McDonald's market share in the EU, leading to consumer confusion and a loss of trust in the brand.

**Keywords:** Big Mac; European Union; Mcdonald's; Trademark Dispute; Supermac's

### 1. Introduction

In the context of an increasingly competitive and rapidly evolving global marketplace, trademarks have emerged as a critical component in both sales processes and marketing strategies. A trademark is not simply a name or symbol, but rather an identity that reflects a company's character and values, symbolizing its relationship with products and services. A strong trademark enables consumers to recognize, understand, and purchase a product or service, ultimately fostering consumer trust based on quality, reputation, and unique characteristics that distinguish it from other products in the market. Yet, despite being registered and holding exclusive rights, trademark owners still encounter various challenges, one of the most significant being trademark disputes, which have escalated in the face of globalization and rapid digitalization. Trademark disputes often involve more than the use of similar marks and may include complex legal issues related to copyright, patents, and consumer protection (R, 2024).

The financial consequences of trademark disputes can be severe, often leading to a decline in sales, market position, and disruption of carefully crafted marketing strategies. A well-established trademark not only serves as a tool for identification but also plays a critical role in differentiating a company within its market, providing it with a competitive when successfully developed, a trademark becomes a valuable asset, particularly it has earned widespread consumer loyalty and preference. Such trademarks enhance their economic value, providing long-term benefits that strengthen a company's market presence. When a trademark builds a positive reputation and customer loyalty, its economic value increases, providing long-term benefits and strengthening the company's market position (Peng, 2025).

A prominent example of a trademark dispute is the ongoing conflict between the American fast-food giant McDonald's and the Irish fast-food chain Supermac's, concerning the use of the "Big Mac" trademark in the European Union. The dispute commenced in 2015 when Supermac's applied to register its name for restaurant services

#### Correspondence:

Name: Muhammad Ridha Iswardhana

Email: muhammad.ridha@uty.ac.id

Received: Jan 30, 2025;

Revised: Feb 09, 2026;

Accepted: Feb 13, 2026;

Published: Feb 28, 2026;



**Copyright:** © 2026 by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>).

within Europe, while McDonald's had held exclusive rights to the "Big Mac" trademark for various goods and services related to meat, poultry, and restaurant dishes for nearly two decades. Supermac's had ambitious plans to expand into the United Kingdom and other European countries, selling products such as beef and chicken burgers, as well as nuggets, fried chicken, and sandwiches, which were sure to appeal to fast-food lovers. However, this ambitious plan faced a serious obstacle McDonald's objected to Supermac's trademark application, arguing that the name "Supermac's" was too similar to "Big Mac," one of their iconic trademarks. The concern was that such a similarity could cause confusion among consumers, both loyal McDonald's customers and those unfamiliar with either brand. McDonald's regarded the protection of its trademark as crucial and believed that it was their right to safeguard the identity and reputation of "Big Mac" (Am Badar, 2019).

In 2017, Supermac's requested the cancellation of McDonald's "Big Mac" trademark, citing its failure to use the trademark in the European Union for five consecutive years. Supermac's aimed to restrict McDonald's use of the trademark in the EU, that they planned to expand across the UK and Europe. Under trademark law, a trademark can be invalidated if not used for five years, allowing third parties to apply for cancellation. Supermac's argued that this condition gave them the opportunity to register the iconic name for their own use, highlighting the challenges companies face in navigating trademark protection amid global expansion and shifting market dynamics (The Guardian, 2024).

The dispute highlights the significance of trademark protection and the challenges companies face market dynamics and consumer behavior shift. Supermac's contention that McDonald's restrictions on the use of the "Big Mac" name hindered fair competition highlights the broader issue of trademark enforcement in modern business environments. Supermac's did not claim imitation but sought to assert their right to compete fairly within the same market. Rather than seeking to imitate, Supermac's argued for their right to compete fairly in the same market, providing evidence that consumers did not confuse the two trademarks. The dispute represents a clash of business models in the highly competitive fast-food industry and raises broader questions about intellectual property laws and their adaptation to modern market conditions.

Media coverage and public interest in this case have only intensified, highlighting the larger questions about intellectual property laws should adapt in a constantly evolving industry. As the case progresses, its outcome will likely set a significant precedent for future trademark law enforcement, not only affecting McDonald's and Supermac's but also influencing the broader legal landscape for trademark disputes. This case presents a critical opportunity to explore the academic urgency of examining trademark protection, its economic impact, and its role in consumer trust, particularly as market competition intensifies. Future research should explore the evolving challenges posed by global competition, the relationship between trademark cancellation and economic value, and the broader implications for regulatory frameworks governing intellectual property rights. This would provide valuable insights into legal systems should adapt to the rapid changes in the marketplace.

## 2. Materials and Methods

This research adopts a qualitative descriptive approach with a case study methodology to deeply examine the phenomena under investigation. The qualitative descriptive method enables a comprehensive understanding of the subject matter by capturing the intricate details and characteristics of the case. The case study methodology is particularly appropriate for this study as it allows for an in-depth exploration of specific instances, providing insights into the complexities and implications of the trademark dispute within the context of both national and international frameworks (Yin, 2018). Data collection will involve a thorough literature review, drawing from a wide range of sources including academic publications, government reports, and policy documents that focus on the Big Mac Brand Dispute in the European Union. In analyzing the data, source tri-

angulation will be used to ensure the accuracy and reliability of the information by comparing and verifying data from multiple perspectives. Furthermore, theoretical triangulation will link the concept of trademark protection to establish a solid theoretical foundation, which will guide the interpretation of the findings and deepen the understanding of the case studies (Kothari, 2019).

### 3. Results and Discussion

#### 3.1. Result: History of the Dispute and the Conflicting Parties

Supermac's is an Irish fast food restaurant chain founded in 1978 by Pat and Una McDonagh. The company, now the largest fast-food franchise in Ireland, operates over 100 outlets across Ireland and Northern Ireland. Supermac's is known for its unique menu, including curry chips, chicken snackboxes, burgers, and traditional Irish dishes like colcannon. The company has thrived by applying a focus on focusing on quality, innovation, and a strong work ethic, helping it dominates the Irish fast-food market (Nadarajah, 2023).



Figure 1. Supermac's founders: Pat and Una Mc Donagh

On the other hand, McDonald's is one of the leading fast food restaurants worldwide. In 1940, Richard and Maurice McDonald founded the company in San Bernardino, California, USA. They opened a restaurant offering hamburgers, drinks, fries, and various other foods. In 1948, they introduced the "Speedee System," which became the foundation for modern fast food restaurants. Today, McDonald's operates over 37,855 locations across more than 100 countries. In 2015, Supermac's applied to register its name as a trademark for restaurant services in Europe, intending to expand into the United Kingdom and other European markets. McDonald's opposed this trademark application, citing potential confusion due to the similarity between "Supermac's" and its iconic "Big Mac" trademark, which it had registered in 1996 for various food-related goods and services (McDonald's, 2024).

In 2015, Supermac's applied to register its name as a trademark for restaurant services in Europe. McDonald's opposed this, claiming that "Supermac's" was too similar to its iconic "Big Mac" trademark, which McDonald's had registered in 1996 for goods and services in various categories, including food-related products and restaurant services. McDonald's holds European Union trademark No. 62638 for "BIG MAC," which was registered on April 1, 1996, covering goods and services in Classes 29, 30, and 42. Class 29 includes food made from meat and poultry products, as well as meat and chicken sandwiches; Class 30 covers edible sandwiches, including meat and chicken sandwiches; and Class 42 pertains to services related to restaurant operations, including the provision of prepared food and drinks, as well as drive-through facilities and food preparation for takeaway (O'Farrell, 2019).



**Figure 2.** Comparison of Supermac's and McDonald's Products.

In 2017, Supermac's took legal action by filing a request with the European Union Intellectual Property Office (EUIPO) to revoke McDonald's exclusive rights to the "Big Mac" trademark. Supermac's argued that McDonald's had failed to use the trademark for five consecutive years, as required by EU trademark law, which permits the cancellation of a trademark if it has not been genuinely used for this period. According to EU trademark law, a trademark can be canceled if not used for "genuine use" within a five-year period. McDonald's countered by presenting evidence of use, including promotional materials and statements from executives, arguing that "Big Mac" remained a widely recognized product across Europe (EUR-Lex Law, 2024).

The European Union Intellectual Property Office (EUIPO) ruled in favor of Supermac's, revoking McDonald's "Big Mac" trademark, citing that McDonald's failed to provide sufficient evidence of genuine trademark use. EUIPO determined that the materials submitted by McDonald's were inadequate to demonstrate actual commercial use of the trademark (J.P Associates, 2024). Following this decision, McDonald's appealed, and the EUIPO Appeals Board (BoA) partially overturned the ruling. The BoA found that McDonald's had demonstrated valid use for certain goods and services, such as food made from meat and poultry products, meat sandwiches, and restaurant services (Cullen, 2024).

Supermac's then took legal action by filing a lawsuit with the General Court against the decision made by the Board of Appeal (BoA), specifically regarding the exclusion of 'meat sandwiches.' In this case, Supermac's acknowledged that they had made legitimate use of the "BIG MAC" brand name. After a trial process, the General Court ultimately ruled to partially uphold Supermac's appeal and annul the BoA decision regarding 'chicken sandwiches' and 'food made from poultry products' (Connelly, 2024)

The court reasoned that McDonald's failed to provide sufficient evidence to show actual and substantial use in connection with those food categories. It emphasized that services registered in Class 42, such as restaurant services, were intended for professionals in the food industry, not end consumers. The court also pointed out the critical need to separate trademark use for goods from its use for services. The case exemplifies the complexities of trademark use and enforcement, particularly in the fast-food industry, and has significant implications for both legal practice and business strategies in a highly competitive global market. The legal implications of this case are significant, particularly in understanding the nuanced relationship between trademarks for goods and services within European trademark law, and such distinctions influence both legal practice and business strategies in a highly competitive global market (Frahm et al., 2024).

The General Court concluded strongly that all the evidence presented by McDonald's during the trial only demonstrated the use of the "BIG MAC" trademark for food products, not for services related to the restaurant industry. Therefore, the BoA had erred in accepting and considering the genuine use of the disputed trademark for services registered in class 42. This decision not only reflects the complex competitive dynamics between two fast-food giants but also highlights intellectual property rights and trademark use have become a significant focal point in both legal and business contexts, potentially influencing marketing strategies and brand positioning in this highly competitive market. (Bina Era, 2025).

### ***3.2. Impact of the Dispute on McDonald's and Supermac's***

This dispute has several impacts on McDonald's, both positive and negative. On the one hand, McDonald's has the opportunity to strengthen its trademark protection strategy, learning valuable lessons about managing and safeguarding its exclusive rights, particularly within the European Union. It can now undertake a comprehensive evaluation of its trademark protection system, ensuring that trademark usage complies with legal requirements and that it maintains updated documentation to prove genuine use.

On the other hand, McDonald's faces significant losses, most notably the loss of exclusive rights to the "Big Mac" trademark in the European Union. The General Court's decision to annul part of McDonald's rights to the trademark for poultry-based products damages the company's ability to protect its iconic product, potentially disrupting its marketing strategy and brand recognition in the region (Muhamad et al., 2023).

The reputational damage McDonald's faces due to the "Big Mac" trademark dispute is significant. Losing rights to such a well-known trademark could tarnish McDonald's image as a market leader, leading consumers to question the company's ability to protect its intellectual property and manage its brand. This decline in reputation may erode consumer trust, affecting perceptions of McDonald's product and service quality, which could result in decreased purchasing power. As a global brand reliant on customer loyalty and brand recognition, McDonald's could see a drop in revenue, especially in key markets like the European Union, as consumers may turn to competitors offering similar products. This dispute highlights the importance of carefully managing and safeguarding trademarks to protect a global brand in a highly competitive market (Dyah Ayu et al., 2023).

The "Big Mac" trademark dispute between McDonald's and Supermac's in the European Union brought significant gains for Supermac's, most notably the revocation of McDonald's "Big Mac" trademark by the European Union Intellectual Property Office (EUIPO). This decision provided Supermac's with a strategic advantage, allowing the company greater freedom to expand into markets like the UK and Europe that McDonald's had previously used the trademark to block Supermac's growth. This victory not only opens new expansion opportunities but also boosts Supermac's reputation, positioning it as a strong competitor capable of challenging global brands like McDonald's. It has also raised Supermac's profile, symbolizing resistance against multinational corporations. However, the increased visibility brings challenges, such as tougher competition from McDonald's and other rivals, as well as the need to maintain a strong brand identity while navigating efforts by McDonald's to rebuild its image (P et al., 2023).

### ***3.3. Theoretical Framework on Trademark Protection***

A trademark is a form of intellectual property (IP). A trademark is an identity or distinguishing mark that differentiates one product from another and can add value to that product. This distinctive identity makes it easier for consumers to recognize the product. A trademark can also create a positive image for the product in the eyes of the consumers, thereby building consumer trust, which ultimately influences their purchase decisions (Muhajir et al., 2024).

A trademark is defined as a symbol, name, word, letter, number, color combination, or any combination of these elements that have distinguishing power and are used in trade for goods or services (Ani et al., 2022). Additionally, a trademark is a name, term, symbol, or design, or a combination of all, intended to identify goods or services of one seller or a group of sellers and distinguish them from those of competitors. Further, a trademark is a name, term, symbol, or design, or a combination, that is meant to identify goods or services of a group of sellers and differentiate these goods or services from competing products (Ahmad et al., 2010).

For a product to be easily recognized by consumers, a trademark needs elements that reflect its mission and vision, including the trademark name, logo, symbol, and character. The trademark name is crucial for consumer recognition, while the logo represents the company's identity. The symbol, often a logo without words, and the brand character, formed through advertisements, spokespeople, slogans, jingles, packaging, and signage. It has essential roles in conveying the brand's message. These elements must be consistent to effectively communicate the product's benefits and enhance its value. Additionally, trademarks require legal protection to prevent unfair competition and counterfeiting. To secure this protection, trademarks must be registered with relevant authorities. These agreements include the Paris Convention of 1883, the Madrid Protocol

of 1989, and the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement of 1994 (Meliantari, 2023).

a. The Paris Convention for the Protection of Industrial Property

The Paris Convention for the Protection of Industrial Property, commonly known as the Paris Convention, is the first international treaty that significantly laid the foundation for the protection of trademarks and other industrial property rights, including patents and designs. Established on March 20, 1883, the Convention has undergone several revisions, including those in 1900 in Brussels, 1911 in Washington, 1925 in The Hague, 1934 in London, 1958 in Lisbon, 1967 in Stockholm, and most recently in Geneva in 1979 (Aiza, 2023).

The core of the Paris Convention consists of two key provisions. The first is National Treatment, outlined in Article 2.1, which ensures that nationals of any country within the Union receive the same protection for their intellectual property rights in all other member countries, as long as they meet the required conditions and formalities. This provision guarantees that foreign nationals are treated equally to nationals of each country regarding industrial property rights and legal remedies for infringement. The second provision is Priority Rights, as outlined in Article 4, which grants applicants a six-month period (for trademarks) to file a protection request in other member countries based on their first application. The subsequent application is treated as if it were filed on the same day as the first, giving it priority over other applications submitted within the specified timeframe for trademarks, utility models, industrial designs, or patents (WIPO, 2018).

b. The Madrid Protocol

The Madrid Protocol, agreed upon in 1891, has undergone several revisions, including in Brussels (1900), Washington (1911), The Hague (1925), London (1934), Nice (1957), and Stockholm (1967). The primary objective of this protocol is to make trademark registration more flexible and adaptable to the domestic laws of certain countries or intergovernmental organizations that could not access the previous agreements. The protocol provides several advantages for trademark owners. Specifically, it allows trademark owners to file for international registration by submitting a single application to the International Bureau in a single, designated language, and paying a single set of fees. This eliminates the need for applicants to navigate different costs, languages, or rules and procedures for each country, making the registration process significantly more efficient and streamlined (WIPO, 2017).

c. The Trade-Related Aspects of Intellectual Property Rights

The Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, effective from January 1, 1995, is the most comprehensive multilateral agreement on intellectual property, covering areas such as copyrights, trademarks, patents, industrial designs, trade secrets, and the protection of new plant varieties. It establishes international rules for the protection of intellectual property and requires member countries to safeguard these rights, prohibiting the trade of counterfeit goods or plagiarized products. The agreement was initiated by the United States in response to the World Intellectual Property Organization's (WIPO) inability to effectively protect intellectual property in international markets, contributing to the U.S. trade deficit (Aiza, 2023).

Article 15 of the TRIPS Agreement allows businesses to choose any sign or combination of signs to distinguish their products and services, provided that the sign is visible and capable of differentiating the products or services from those of others. Article 16, Section 1, grants the owner of a registered trademark exclusive rights to prevent third parties from using identical or similar signs for similar goods or services if it could lead to consumer confusion or harm the trademark owner. Additionally, Article 19 of the TRIPS Agreement addresses trademark cancellation if the trademark has not been used for three

consecutive years, unless the owner can provide valid reasons for non-use, such as import restrictions or other government-imposed limitations. Furthermore, the use of the trademark by a third party with the owner's consent is considered legitimate for maintaining the trademark registration (World Trade Organization, 2021).

#### d. European Union Trademark (EUTM)

Trademark registration is a vital method for establishing and maintaining a brand. In Europe, trademarks can be registered either at the national level, offering protection only in the country of registration, or at the EU level as a European Union Trademark (EUTM) with the European Union Intellectual Property Office (EUIPO), providing broader protection across multiple EU countries. The European Commission oversees the EU trademark system, working to enhance its efficiency and accessibility for businesses. While any sign capable of distinguishing goods or services, such as shapes, packaging, colors, or sounds, may be eligible for registration, certain trademarks are disqualified based on specific criteria, including descriptiveness, lack of distinctiveness, misleading nature, or conflict with public policy or protected geographical indications. A registered EUTM is recommended for businesses operating in multiple EU countries, as it offers extensive protection, and its legal protection lasts for 10 years, renewable indefinitely. However, an EUTM can be canceled if not used within five years or if it conflicts with prior rights, with the cancellation affecting all EU member states.

### 3.3 Discussion: Analysis of the Big Mac Trademark Dispute Decision Results Based on Trademark Protection

The case of Supermac's vs EUIPO, Case T-58/23, involves Supermac's (Holdings) Ltd, a fast-food chain from Galway, Ireland, and McDonald's International Property Co. Ltd, part of one of the world's largest fast-food chains. On April 11, 2017, Supermac's filed a cancellation request for McDonald's "Big Mac" trademark (EU trademark number 62638), arguing that the trademark had been improperly used, harming its business and reputation. The "BIG MAC" trademark, registered since April 1, 1996, covers a range of goods and services under Classes 29, 30, and 42 of the Nice Agreement. This dispute underscores the importance of trademark protection in maintaining a company's identity in a competitive market.

In its application, Supermac's detailed the goods and services covered by the disputed trademark, including Class 29 (meat, fish, and poultry products), Class 30 (sandwiches, snacks, and desserts), and Class 42 (restaurant operations and food services). Supermac's argued that McDonald's had failed to provide sufficient evidence of the use of the Big Mac trademark in relation to these registered goods and services, forming the basis for their cancellation request (J.P. Associates, 2024).



Figure 3. Pat McDonagh handing in the Supermac's submission to the EUIPO.

Supermac's built its argument for the cancellation of McDonald's Big Mac trademark on Article 51(1)(a) of Council Regulation (EC) No 207/2009, which allows for trademark cancellation if the owner cannot prove genuine and continuous use over the past five years. On January 11, 2019, the EUIPO Cancellation Division granted Supermac's request, annulling McDonald's rights to the Big Mac trademark for certain goods and services. However, McDonald's appealed the decision, and on March 8, 2019, the EUIPO

Board of Appeal overturned the Cancellation Division's ruling, upholding McDonald's rights for some food categories. Supermac's argued that the appeal's decision was too broad and sought to annul parts of it, specifically excluding "meat sandwiches" under Class 30 from McDonald's trademark rights (Vroey & Lannoye, 2024).

The legal battle escalated, culminating in a significant ruling from the Court of Justice of the European Union on June 5, 2024. The court upheld Supermac's request to cancel the Big Mac trademark, ruling that McDonald's failed to provide sufficient evidence of genuine and consistent use in relation to the registered goods and services. The ruling referenced Article 51(1)(a) of Regulation (EC) No 207/2009, now updated to Article 58(1)(a) under Regulation (EU) 2017/1001, which allows for trademark revocation if it has not been used for five consecutive years, unless valid reasons for non-use are provided.

In this case, McDonald's evidence was deemed insufficient to prove genuine and continuous use of the Big Mac trademark, particularly concerning "chicken sandwiches" and "poultry-based foods." The evidence presented included product packaging photos, promotional materials, advertisements, and consumer surveys, but none of these explicitly referred to the services in question. The Board of Appeal referenced a previous ruling from the SCHUHPARK case, which reinforced the need for strong, objective evidence of trademark use, especially in the context of restaurant services. Despite the evidence suggesting the presence of related products, it failed to demonstrate substantial use of the Big Mac trademark in relation to the contested services.

The Court of Justice ultimately annulled the contested decision, particularly regarding "chicken sandwiches," "poultry-based foods," and restaurant services. It was determined that McDonald's evidence did not meet the legal standards required for proving genuine use within the five-year period. The General Court later annulled parts of the EUIPO Fourth Board of Appeal's decision, leading to the cancellation of the contested trademark. This decision has significant implications for trademark law in the European Union, offering a precedent that could influence future cases and providing businesses with a renewed opportunity to assert their trademark rights.

### *3.4 Consequences of McDonald's Defeat to Supermac's*

The ruling by the European Union Intellectual Property Office (EUIPO) stating that McDonald's lost its trademark rights for the Big Mac in the European Union has had a significant negative impact on the brand. The primary consequences of this decision are confusion among consumers and a loss of trust, particularly from loyal customers. The resemblance between McDonald's and Supermac's, coupled with similar products being offered, has led to consumer uncertainty, affecting their perception of McDonald's authenticity. This confusion can diminish consumer loyalty, which directly influences future purchasing decisions.

Another serious consequence is the loss of trust among consumers. Losing trademark rights may make consumers feel that McDonald's is unable or unwilling to protect its brand, which can damage the long-standing relationship of trust the company has built with its customers. As a result, consumers may turn to competitors offering similar products, further eroding McDonald's market share and weakening its position across the European Union. This situation could lead to a decline in consumer loyalty and purchasing behavior, impacting the brand's overall strength in the market.

The cancellation of the Big Mac trademark also disrupts McDonald's sales chain and market share, especially in the European Union. The loss of trust and confusion among consumers could result in a significant decline in sales, threatening the survival of key products like the Big Mac. This decline could lead to financial difficulties for the company, affecting not only McDonald's revenue but also its suppliers, depend on consistent orders. McDonald's would need to focus on innovation and strategic rebranding to recover from this situation, but the rebranding might confuse older consumers, potentially pushing them toward competitors, which would further exacerbate the company's sales decline in Europe.

#### 4 Conclusions

McDonald's defeat in the trademark dispute has the potential to strip the company of its exclusive rights to the Big Mac trademark, which could lead to confusion among consumers and undermine trust in the identity of McDonald's products. This case illustrates a fundamental lesson for companies: registering a trademark alone is insufficient for protection. It is essential for companies to ensure that their trademarks are actively and genuinely used in commercial activities to maintain their exclusive legal rights. Failure to do so may result in trademark cancellation, as demonstrated in McDonald's situation, thereby jeopardizing brand equity and consumer loyalty.

In response to such a setback, McDonald's would be required to undertake a re-branding effort, which would involve significant time, financial resources, and a recalibration of its marketing strategies in the European Union. The cancellation of the Big Mac trademark could disrupt the sales chain, leading to loss of market share and creating opportunities for competitors to adopt more aggressive strategies. McDonald's experience serves as a cautionary tale about the vulnerability of trademark protection in competitive markets. It highlights the importance of adopting a proactive approach to safeguarding intellectual property rights to mitigate long-term consequences on brand image, marketing strategies, and market dominance.

The cancellation of McDonald's trademark opens the door for Supermac's to expand its presence in the European Union. To capitalize on this advantage, Supermac's must prioritize the development of a strong brand identity that cultivates consumer trust and enhances competitiveness. This includes engaging in product innovation, executing effective marketing campaigns, and strengthening relationships with local consumers. Additionally, Supermac's must adhere strictly to trademark law to solidify its position in the market and avoid potential legal issues. This case emphasizes the interconnectedness of trademark cancellation, the economic value of trademarks, and consumer trust, offering valuable insights for further research in these areas. Future research could focus on trademark cancellation affects a brand's economic value and its capacity to maintain or rebuild consumer trust, especially in the context of global competition and evolving market dynamics. Understanding these relationships will be key in determining brands can navigate the complexities of trademark protection in an increasingly interconnected global marketplace.

#### References

- Ahmad, B., Herry, H., & Djaslim, S. (2010). *Manajemen Pemasaran: Teori, Aplikasi dan Tanya Jawab*. Bandung Linda Karya.
- Aiza, F. (2023). PELINDUNGAN HUKUM ATAS KEKAYAAN INTELEKTUAL PRODUK DIGITAL USAHA MIKRO, KECIL, DAN MENENGAH. *Jurnal Darma Agung*, 31(6), 187–196. <https://journals.ristek.or.id/index.php/LE/index>
- Am Badar. (2019). *McDonald Kehilangan "BIG MAC" di Eropa*. Ambadar. <https://ambadar.com/id/insights/trademark/mcdonald-kehilangan-big-mac-di-eropa/>
- Ani, J., Lumanauw, B., & Tampenawas, J. L. A. (2022). PENGARUH CITRA MEREK, PROMOSI DAN KUALITAS LAYANAN TERHADAP KEPUTUSAN PEMBELIAN KONSUMEN PADA E-COMMERCE TOKOPEDIA DI KOTA MANADO. *Jurnal EMBA : Jurnal Riset Ekonomi, Manajemen, Bisnis Dan Akuntansi*, 10(1). <https://doi.org/https://doi.org/10.35794/emba.v10i1.38279>
- Bina Era, D. (2025). Perlindungan Hukum Atas Merek Legend Yang Terkenal di Internasional Atas Tindakan Pendaftaran Serupa di Indonesia. *Al-Zayn : Jurnal Ilmu Sosial & Hukum*, 3(2), 753–758. <https://doi.org/10.61104/alz.v3i2.1145>
- Connelly, T. (2024). *Supermac's wins Big Mac trademark case with McDonald's*. RTE. <https://www.rte.ie/news/business/2024/0605/1453086-supermacs-mcdonalds-trade-mark-case/>
- Cullen, C. (2024). *McDonald's BIG MAC trade mark – General Court gives decision on evidence of genuine use*. RPC Legal. <https://www.rpclegal.com/thinking/ip/mcdonalds-big-mac-trade-mark-general-court-gives-decision-on-evidence-of-genuine-use/>
- Dyah Ayu, S., Ni Made Taman, A., Diah, R., Febriyani, D., Thomas Ola, L., I Gusti Ayu Made Agung, M., Andriani, P., Muhammad

- Ridha, I., Anita, A., & I Gusti Ayu Lia, Y. (2023). *PENGANTAR EKONOMI PEMBANGUNAN: Teori dan Konsep Pembangunan Ekonomi Era Industri 4.0 & Society 5.0*. PT. Sonpedia Publishing Indonesia.
- EUR-Lex Law. (2024). *No Title*. EUR-Lex Access to European Union Law. <https://eur-lex.europa.eu/eli/C/2024/4469/oj/eng>
- Frahm, K., Kragmann, M., & Mads Thomas Møller, N. (2024). *A new chapter in the BIG MAC saga - the EU General Court partially cancels McDonald's BIG MAC trademark*. Plesner. <https://plesner.com/en/news/new-chapter-big-mac-saga-eu-general-court-partially-cancels-mcdonalds-big-mac-trademark>
- Iswardhana, M. R. (2021). Indonesia's South-South and Triangular Cooperation (SSTC) as the Future of Diplomacy for World Solidarity to Overcome the COVID-19 Pandemic. *Global South Review*, 2(1), 25. <https://doi.org/10.22146/globalsouth.62532>
- J.P. Associates. (2024). *McDonald's loses 'Big Mac' TM Battle against Supermac's*. J.P. Associates. <https://jpassociates.co.in/mcdonalds-loses-big-mac-tm-battle-against-supermacs/>
- Kothari, C. R. (2019). *Research Methodology: Methods and Techniques. 4th Edition*. New Age International Publishers.
- McDonald's. (2024). *McDonald's History*. McDonald's.
- Meliantari, D. (2023). *PRODUK DAN MEREK (Suatu Pengantar)*. EUREKA MEDIA AKSARA.
- Muhajir, Akbar, R., & Salam, A. (2024). Analisis Kepuasan Pengguna Sistem Informasi Akademik (SIKAD) dengan Metode End User Computing Satisfaction (EUCS) di Institut Seni Budaya Indonesia Aceh. *Jurnal Sistem Komputer (SISKOM)*, 4(1), 45–59. <https://doi.org/10.35870/siskom.v4i1.811>
- Muhamad, A., Zuhrah, Z., Yang, M., Khairina, K., Anisa, A., Muhammad Ridha, I., Suryaningrat, S., Aermadepa, A., Yulfa, M., & Andi Ibnu, H. (2023). *PENGANTAR ILMU HUKUM : Teori dan Penerapannya di Indonesia*. PT. Sonpedia Publishing Indonesia. <https://books.google.co.id/books?id=xSTbEAAAQBAJ>
- Nadarajah, S. (2023). *Return of the (big) MAC: McDonald's v supermac's*. FR Kelly. <https://www.lexology.com/library/detail.aspx?g=68f5df1c-00cb-49d1-b548-dc6895988f35>
- O'Farrell, G. (2019). Genuine use—the battle of the Mac. *Journal of Intellectual Property Law & Practice*. <https://doi.org/10.1093/jiplp/jpz134>
- P, M. A. C., Suryaningrum, D. A., Ayuk, N. M. T., Retnowati, D., Damayanti, F., Langoday, T. O., Pratiwi, I. G. A. M. A. M. A., Iswardhana, M. R., Apriani, A., & others. (2023). *PENGANTAR EKONOMI PEMBANGUNAN : Teori dan Konsep Pembangunan Ekonomi Era Industri 4.0 & Society 5.0*. PT. Sonpedia Publishing Indonesia. <https://books.google.co.id/books?id=FHHXEAAAQBAJ>
- Peng, J. (2025). The Role and Significance of Trademark Law in Brand Value Protection. *Lecture Notes in Education Psychology and Public Media*, 84(1), 22–27. <https://doi.org/10.54254/2753-7048/2025.20552>
- R, H. K. B. (2024). Trademark Disputes in the New World: What It Means for Companies. *TIJER*, 11(12).
- The Guardian. (2024). *Big Mac v Supermac's: McDonald's loses EU trademark fight*. The Guardian. <https://www.theguardian.com/business/article/2024/jun/05/big-mac-supermacs-mcdonalds-loses-eu-trademark-fight>
- Vroey, M. De, & Lannoye, M.-Y. (2024). *The Mc Donald's Case | Even major brands must prove trade mark use*. Simont Braun. <https://simontbraun.eu/the-mc-donalds-case-even-major-brands-must-prove-trade-mark-use/2024/06/19/>
- WIPO. (2017). *Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*. WIPO. <https://www.wipo.int/wipolex/en/text/283484>
- WIPO. (2018). *Paris Convention for the Protection of Industrial Property*. WIPO. <https://www.wipo.int/treaties/en/ip/paris/>
- World Trade Organization. (2021). *Overview: the TRIPS Agreement*. World Trade Organization. [https://www.wto.org/english/tratop\\_e/trips\\_e/intel2\\_e.htm#trademark](https://www.wto.org/english/tratop_e/trips_e/intel2_e.htm#trademark)
- Yin, R. K. (2018). *Case Study Research and Applications: Design and Methods*.